

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF  
JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO.: 19 CVS 012667

2019 OCT 24 A 9:02

REBECCA HARPER, *et al.*,

Plaintiffs,

v.

REPRESENTATIVE DAVID R.  
LEWIS, IN HIS OFFICIAL  
CAPACITY AS SENIOR  
CHAIRMAN OF THE HOUSE  
SELECT COMMITTEE ON  
REDISTRICTING, *et al.*,

Defendants.

WAKE CO., C.S.C.

BY

PRO HAC VICE MOTION

NOW COME Intervenor Applicants Ted Budd, Virginia Foxx, and Richard Hudson (hereinafter "Intervenor Applicants"), through their undersigned counsel, and hereby move this Court for admissions *pro hac vice* for Jason Torchinsky to represent them in this case.

In support of this Motion, Intervenor Applicants respectfully state as follows:

1. Jason B. Torchinsky is a member in good standing of Virginia Bar (Va. Bar No. 47481, and is a member of the law firm of Holtzman Vogel Josefak Torchinsky PLLC; 45 North Hill Drive, Suite 100, Warrenton, VA 20186-2678. The Affidavit of Jason Torchinsky, attached hereto as **Exhibit A**, sets forth his qualifications to appear in this case pursuant to N.C. Gen. Stat. § 84-4.1.
2. Mr. Torchinsky is a member in good standing of the Virginia State Bar, which grants like privileges to members of the bar of North Carolina in good standing.


3. Mr. Torchinsky is counsel for Intervenor Applicants, and attached is their statement attesting to his retention as **Exhibit B**.
4. Pursuant to N.C. Gen. Stat. § 84-4.1(5), as local counsel in these matters and a resident of North Carolina, John E. Branch, III; Shanahan Law Group, 128 E. Hargett Street, Ste. 300, Raleigh, NC 27615; NC Bar. No. 32598, agrees to be responsible for filing the required registration statement of Mr. Torchinsky with the North Carolina State Bar.
5. Jason B. Torchinsky has no record of any disciplinary history, including, but not limited to, no public discipline by any court of law or regulatory organization and no revocation of any pro hac vice admission.
6. A fee has been provided in the amount of two hundred twenty-five dollars (\$225.00) for Mr. Torchinsky's admission, made out to the "Clerk of Court" and sent to the Wake County Clerk of Court. Of the two hundred twenty-five dollars (\$225.00) sent to the Clerk of Court, two hundred dollars (\$200.00) shall be remitted to the State Treasurer for support of the General Court of Justice, and twenty-five dollars (\$25.00) shall be transmitted to the North Carolina State Bar to regulate the practice of out-of-state attorneys.
7. Jason B. Torchinsky agrees to be subject to the orders and disciplinary action of this Court and the N.C. State Bar as if he were a regularly admitted and licensed member of the N.C. State Bar in good standing.
8. Counsel for Plaintiff does not consent to this instant motion.

WHEREFORE, Intervenor Applicants respectfully request that this Court grant Jason Torchinsky admission *pro hac vice* to represent Intervenor Applicants in this case.

This the 2<sup>nd</sup> day of October, 2019.

**SHANAHAN LAW GROUP, PLLC**

By: \_\_\_\_\_

  
John E. Branch III, NCSB # 32598  
Nathaniel J. Pencook, NCSB # 52339  
Andrew D. Brown, NCSB #45898  
128 E. Hargett Street, Suite 300  
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*Attorneys for Intervenor Applicants*

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF  
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FILE NO.: 19 CVS 012667

REBECCA HARPER, *et al.*,  
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LEWIS, IN HIS OFFICIAL  
CAPACITY AS SENIOR  
CHAIRMAN OF THE HOUSE  
SELECT COMMITTEE ON  
REDISTRICTING, *et al.*,

Defendants.

PROPOSED ORDER

1. THIS MATTER is before the Court on Intervenor Applicants' Motion for Pro Hac Vice Admission ("Pro Hac Motion") of Jason B. Torchinsky of the law firm Holtzman Vogel Josefiak Torchinsky PLLC; 45 North Hill Drive, Suite 100, Warrenton, VA 20186-2678.
2. Shanahan Law Group, PLLC represents Intervenor Applicants in the above-captioned case. After reviewing the Pro Hac Motion and accompanying affidavits, the Court finds that they comply with the statutory requirements for petitions for the limited admission of out-of-state attorneys set forth in N.C. Gen. Stat. § 84-4.1.
3. Accordingly, the Court **GRANTS** the Pro Hac Motion, subject to payment of the statutory admission fees.

4. The Court **ORDERS** John E. Branch, III to forward, within thirty (30) days of the entry of this Order, a specified registration statement, as required by 27 N.C.A.C. 1H, Section .0101, together with a copy of the necessary documentation, to the North Carolina State Bar, P.O. Box 25908, Raleigh, North Carolina 27611.

SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2019.

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SUPERIOR COURT JUDGE

### CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing **Pro Hac Vice Motion and Proposed Order** upon all parties to this matter by placing a copy in the United States Mail, First Class, postage prepaid and addressed as follows:

Burton Craige, NC Bar No. 9180  
Narendra K. Ghosh, NC Bar No. 37649  
Paul E. Smith, NC Bar No. 45014  
PATTERSON HARKAVY LLP  
100 Europa Dr., Suite 420  
Chapel Hill, NC 27517  
(919) 942-5200  
[bcraige@pathlaw.com](mailto:bcraige@pathlaw.com)  
[nghosh@pathlaw.com](mailto:nghosh@pathlaw.com)/[psmith@pathlaw.com](mailto:psmith@pathlaw.com)

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Phillip J. Strach/Michael McKnight  
Alyssa Riggins/Thomas A. Farr  
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& STEWART, P.C.  
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[Michael.mcknight@ogletree.com](mailto:Michael.mcknight@ogletree.com)  
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[Thomas.farr@ogletree.com](mailto:Thomas.farr@ogletree.com)

R. Stanton Jones/Elisabeth S. Theodore  
Daniel F. Jacobson/William C. Perdue  
Sara Murphy D' Amico  
Graham W. White  
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Paul Cox  
Stephanie Brennan  
North Carolina DOJ  
114 W. Edenton St.  
Raleigh, North Carolina 27603  
(919) 716-6932  
[pcox@ncdoj.gov](mailto:pcox@ncdoj.gov)

This the 24<sup>th</sup> day of October, 2019.

**SHANAHAN LAW GROUP, PLLC**

By: 

John E. Branch III, NCSB # 32598

Nathaniel J. Pencook, NCSB # 52339

Andrew D. Brown, NCSB #45898

128 E. Hargett Street, Suite 300

Raleigh, North Carolina 27601

Telephone: (919) 856-9494

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[jbranch@shanahanlawgroup.com](mailto:jbranch@shanahanlawgroup.com)

[npencook@shanahanlawgroup.com](mailto:npencook@shanahanlawgroup.com)

[abrown@shanahanlawgroup.com](mailto:abrown@shanahanlawgroup.com)

*Attorneys for Intervenor Applicants*

# **EXHIBIT A**



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF  
JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO.: 19 CVS 012667

REBECCA HARPER, *et al.*, )  
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Plaintiffs, )  
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v. )  
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REPRESENTATIVE DAVID R. )  
LEWIS, IN HIS OFFICIAL )  
CAPACITY AS SENIOR )  
CHAIRMAN OF THE HOUSE )  
SELECT COMMITTEE ON )  
REDISTRICTING, *et al.*, )  
 )  
Defendants. )  

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AFFIDAVIT OF JASON B.  
TORCHINSKY

Jason B. Torchinsky being duly sworn, deposes and says:

1. I am an attorney at law with the firm of Holtzman Vogel Josefiak Torchinsky, PLLC and maintain an office at 45 North Hill Drive, Suite 100, Warrenton, VA 20186. My contact information is as follows: voice: 540-341-8808; fax: 540-341-8809; e-mail: [jtorchinsky@hvjt.law](mailto:jtorchinsky@hvjt.law).

2. I am duly licensed and admitted to practice in the state of Virginia and District of Columbia.

3. I am a member in good standing of the Bar of the state of Virginia and District of Columbia.

4. I have never been disciplined by any Court or lawyer regulatory organization. I have never had any *pro hac vice* admissions revoked.

5. I am filing this Affidavit pursuant to the requirements of N.C. Gen. Stat. § 84-4.1, in connection with my request to be admitted before the Court in this proceeding.

6. I will have associated with me and personally appearing with me in this proceeding John E. Branch, III, whom is a member of Shanahan McDougal, PLLC, which maintains their office at 128 E. Hargett Street, Third Floor, Raleigh, North Carolina, 27601. Mr. Branch is also a resident of the State of North Carolina and is duly and legally admitted to practice in the General Court of Justice of North Carolina. Service may be had upon Mr. Branch in all matters connected to this proceeding, or any disciplinary matters, with the same effect as if personally made on me within the State of North Carolina.

7. I am fully familiar with the issues in this proceeding and I will provide Intervenor Applicants Ted Budd, Virginia Foxx, and Richard Hudson (hereinafter "Intervenor Applicants"), with legal representation to the best of my ability and in an orderly and mature fashion. Unless permitted to withdraw sooner by Order of the Court, I will continue to represent Intervenor Applicants, in this proceeding until the final determination thereof. With reference to all matters incident to this proceeding, I agree to be subject to the Orders and amenable to the disciplinary action and civil jurisdiction of the Court and the North Carolina State Bar in all respects, as if I were a regularly admitted and licensed member of the Bar of North Carolina in good standing.

8. The state of Virginia grants like privileges to members of the Bar of North Carolina in good standing.

By:

Jason B. Torchinsky

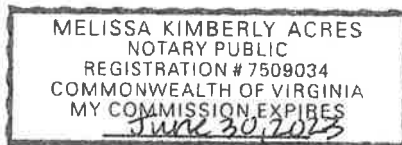
COMMONWEALTH OF VIRGINIA  
COUNTY OF FAUQUIER

SWORN TO AND SUBSCRIBED BEFORE ME

This the 23<sup>rd</sup> day of October 2019.

  
Notary Public

My Commission Expires: June 30, 2019



# **EXHIBIT B**

October 24, 2019

Kellie Z. Myers  
Trial Court Administrator  
10th Judicial District  
North Carolina Judicial Branch  
PO Box 1916  
Raleigh, NC 27602  
Kellie.z.myers@nccourts.org

**Re: Representation in *Rebecca Harper, et al. v. Representative David R. Lewis, et al.*  
19-CVS-12667**

Dear Ms. Myers,

We the Intervenor Applicants, Ted Budd, Virginia Foxx, and Richard Hudson have retained **Jason B. Torchinsky and Chris Winkelman** of the law firm of **Holtzman Vogel Josefiak Torchinsky PLLC** to represent us in the proceeding entitled in the above-referenced matter.

Our legal address for these purposes:  
**Holtzman Vogel Josefiak Torchinsky PLLC**  
**45 North Hill Drive, Suite 100**  
**Warrenton, VA 20186-2678**

Please do not hesitate to contact the aforementioned individuals, Jason B. Torchinsky and Chris Winkelman, by dialing the firm's main phone number: (540) 341-8808, if you have any questions.

Very truly yours,



**Rep. Ted Budd**

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**Rep. Virginia Foxx**

---

**Rep. Richard Hudson**

October 24, 2019

Kellie Z. Myers  
Trial Court Administrator  
10th Judicial District  
North Carolina Judicial Branch  
PO Box 1916  
Raleigh, NC 27602  
Kellie.z.myers@nccourts.org

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Very truly yours,

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**Rep. Ted Budd**

---

**Rep. Virginia Foxx**

---

**Rep. Richard Hudson**

October 24, 2019

Kellie Z. Myers  
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10th Judicial District  
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Raleigh, NC 27602  
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Very truly yours,

---

**Rep. Ted Budd**

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**Rep. Virginia Foxx**

---

**Rep. Richard Hudson**